



570 Broad Street / Suite 1201 / Newark, NJ 07102
973.623.3000 Main / 973.623.0858 Fax / litedepalma.com
Newark / Philadelphia

August 29, 2022

VIA ECF

Hon. Georgette Castner, U.S.D.J.
United States District Court, District of New Jersey
Clarkson S. Fisher Federal Building & United States Courthouse
402 East State Street
Trenton, NJ 08608

Re: *Takata v. Riot Blockchain, Inc., et al.*
Civil Action No. 3:18-cv-02293-GC-RLS

Dear Judge Castner:

We write on behalf of Lead Plaintiff Dr. Stanley Golovac (“Plaintiff”) concerning the form of Plaintiff’s forthcoming opposition(s) to the three pending motions to dismiss filed by Riot Blockchain, Inc. (“Riot”), John O’Rourke and Michael Beeghley (the “Individual Defendants”), and Barry C. Honig (collectively, “Defendants”). (*See* ECF Nos. 232, 233, 234, respectively.)

In advance of Plaintiff’s September 1, 2022 filing deadline (ECF No. 230), Plaintiff requests permission to respond to Defendants’ three motions to dismiss (ECF Nos. 232-234) with a single omnibus memorandum of no more than 80 or 100 pages (12-point or 14-point font, respectively). *See* L.R. 7.2(b) and (d). We sought the consent of all our adversaries in advance of this writing but did not obtain it.

Our proposal would *reduce* the total pages to which we are otherwise entitled by 20, from 120 to 100 at 14-point font. Moreover, having one brief rather than three would be more efficient and would serve to reduce the burden on the Court and parties.

Defendants each filed a memorandum of law with their motion. (*See* ECF Nos. 232-1, 233-1, 234-1.) Riot’s memorandum was 40 pages in 14-point font; the Individual Defendants’ memorandum was 36.25 pages in 14-point font; and Honig’s memorandum was 29.5 pages in 12-point font. Defendants also filed related declarations, exhibits, and requests for judicial notice. *Id.*

Given the interconnected factual issues set forth in the operative complaint (ECF No. 231), on which each motion focuses, Plaintiff believes a single omnibus memorandum of 80 pages in 12-point font or 100 pages in 14-point font will be most efficient for the Court and for all parties involved, rather than three separate memoranda.



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We appreciate the Court's consideration of this request.

Respectfully,

/s/ Joseph J. DePalma

Joseph J. DePalma

JJD:cd

cc: All Counsel (via ECF)